

Message

From: Harrington, Jim (DEC) [jim.harrington@dec.ny.gov]
Sent: 3/2/2015 8:56:10 PM
To: Garbarini, Doug [Garbarini.Doug@epa.gov]
Subject: FW: Schumer release and letter on Grumman/Bethpage Site

fyi

James B Harrington, PE
Director, Remedial Bureau A
Division of Environmental Remediation
518 -402-9624

Please note my new email address
Jim.Harrington@dec.ny.gov

From: Rusinko, Rosalie (DEC)
Sent: Monday, March 02, 2015 3:12 PM
To: Harrington, Jim (DEC)
Subject: FW: Schumer release and letter on Grumman/Bethpage Site

From: Doyle, James [mailto:Doyle.James@epa.gov]
Sent: Monday, March 02, 2015 11:30 AM
To: Rusinko, Rosalie (DEC)
Subject: FW: Schumer release and letter on Grumman/Bethpage Site

FOR IMMEDIATE RELEASE:
February 27, 2015

CONTACT: Meredith Kelly
202-380-5990

**SCHUMER: NORTHROP GRUMMAN HAS AGAIN
MISSED NYS DEC DEADLINE TO TAKE
RESPONSIBILITY FOR BETHPAGE PLUME CLEANUP;
SENATOR CALLS ON EPA TO STEP IN & ISSUE LEGAL
“UNILATERAL ADMINISTRATIVE ORDER” REQUIRING
NORTHROP GRUMMAN TO WORK WITH NAVY &
HELP WITH CLEANUP**

*In November 2014, NYS Dept. of Environment Conservation Gave Northrop
Grumman 30 Days to Sign an “Order of Consent” To Legally Accept Responsibility*

*and Signal Participation in Clean Up With Bethpage Plume; Signed Consent is
Now 3 Months Overdue*

*Schumer Urges EPA to Step In & Issue “Unilateral Administrative Order” To
Legally Force Northrop Grumman, Which Operated the Former Navy Site, to Help
With Toxic Cleanup Process*

After three months of delay by Northrop Grumman in legally accepting responsibility for Bethpage plume cleanup, U.S. Senator Charles E. Schumer today urged the Environmental Protection Agency (EPA) to step in and issue a unilateral administrative order that would allow legal action to be brought against Northrop Grumman if the company continues to delay in signing a pending Order of Consent from the NYS Department of Environmental Conservation (DEC) for the cleanup of the site.

In November 2014, the DEC issued a letter to Northrop Grumman declaring that it had thirty days to sign an “order of consent” for the implementation of Operable Unit 2 ROD, which requires additional groundwater investigation at that site. Schumer today said that more than 90 days have passed, and Northrop Grumman has yet to sign onto the “order of consent,” which is an agreement that would require Northrop Grumman to take responsibility and participate in the cleanup of the plume in conjunction with the U.S. Navy. Schumer today urged the EPA to issue a Unilateral Administrative Order (UAO) to Northrop Grumman to help expedite this cleanup process. Specifically, these orders are used as an enforcement tool by the EPA to require parties to undertake a response action, either a short or long-term cleanup. The EPA typically issues UAOs when there is concern of “imminent and substantial endangerment to the public health or the environment,” according to the EPA.

“Northrop Grumman needs to end their delay tactics and clean up its fair share of this toxic plume so that Bethpage residents are not put in harm’s way,” said Senator Schumer. “After more than 90 days of inaction from Northrop Grumman on the pending DEC clean-up consent order, the EPA should immediately step in and issue a Unilateral Administrative Order, which will pave the way for legal action against Northrop Grumman and force them to take some responsibility for the toxic cleanup process.”

The U.S. Navy operated a Naval Weapons Industrial Reserve in Bethpage for many years, beginning in the late 1930s, which has resulted in at least 2 plumes containing chemicals classified as carcinogens. Since 1976, when contamination concerns were first identified, the plume has spread and is currently threatening over 20 additional public drinking wells that serve over 250,000 Nassau County residents in Bethpage, Levittown, Massapequa, South Farmingdale and Wantagh.

There are at least two plumes currently within the Bethpage community, and contaminants were detected in five of the eight wells operated by Bethpage Water District. The first plume originates from the Grumman Aerospace Corporation and Navy manufacturing facilities, and the smaller plume is associated with the Bethpage Community Park where Grumman and the Navy disposed of wastes. The Bethpage Water District currently has 8,800 customers.

New hot spots were recently discovered between Bethpage Water District Plant 6 and the GM 75 hotspot. Elevated levels of a potential carcinogen, trichloroethylene (TCE), were found in the groundwater 1,700 feet away from a Bethpage drinking water well. TCE is an industrial solvent and was used at the former defense plant in Bethpage, which was operated by Northrop Grumman and the U.S. Navy.

In November, NYSDEC notified Northrop Grumman that the Department expected them to participate with the Navy in the cleanup process within the Bethpage plume. NYSDEC urged Northrop Grumman to sign an “Order of Consent” to undertake this work within 30 days. Schumer today urged the EPA to immediately issue an

administrative order which will help push Northrop Grumman to accept responsibility and participate alongside the Navy in cleaning up the Bethpage plume. Schumer explained that Northrop Grumman is partly responsible for the toxic mess and it must be cleaned up before any residents are at-risk.

A copy of Schumer's letter appears below:

Administrator McCarthy:

I write to urge the Environmental Protection Agency to Issue an Unilateral Administrative Order (UAO) to the Department of Defense (DOD) and Northrop Grumman under the authority the Resource Conservation and Recovery Act or Comprehensive Environmental Response, Compensation, and Liability Act. The U.S. Navy operated a Naval Weapons Industrial Reserve in Bethpage beginning in the 1930s, which has resulted in at least 2 hazardous plumes containing chemicals classified as carcinogens. Since the Navy and Northrop Grumman failed to reach a Record of Decision (ROD) through an Order of Consent, I urge the EPA to issue an UAO with enforceable timelines to bring all parties together to move the process forward.

Contamination concerns were first identified in 1976. The plume has since spread and is currently threatening over 20 additional public drinking wells that serve over 250,000 Nassau County residents in Bethpage, Massapequa, South Farmingdale and Wantagh Districts. New hot spots have been found between Bethpage Water District Plant 6 and the GM 75 hotspot. In addition, elevated levels of a potential carcinogen, trichloroethylene (TCE), have been found in the groundwater 1,700 feet away from a Bethpage drinking water well. TCE is an industrial solvent and was used at the former defense plant in Bethpage, which was operated by Northrop Grumman and the U.S. Navy.

In November, NYSDEC notified Northrop Grumman that the Department expects them to participate with the Navy in the cleanup process within the Bethpage plume. NYSDEC urged Northrop Grumman to sign an order of consent to undertake this work. The EPA has indicated that if the order of consent was not signed within 30 days that the agency would consider issuing an administrative order to Northrop Grumman. Currently, 90 days have since passed and the administrative order has not yet been issued.

Again, I urge the EPA to issue a Unilateral Administrative Order to the Department of Defense (DOD) and Northrop Grumman to ensure that the remediation of the impacted area moves forward. I thank you for your attention to this important request and look forward to working with your agency to address this most important issue for numerous communities across Long Island.

Sincerely,

Senator Schumer